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of

THE COMMONWEALTH.

KENTUCKY LEGISLATURE.

IN SENATE.

MONDAY, Feb. 27, 1890.

The Senate was opened with prayer by Rev. Jos. Rano, of the Methodist Church. The reading of the Journal of Saturday was dispensed with.

A PETITION.

Was presented by Mr. GLENN and appropriately referred.

REPORT OF A SELECT COMMITTEE.

Mr. GLENN—a bill for the benefit of the Christian county and Clarksville turnpike company: passed.

A MESSAGE FROM THE H. R.

Was received, announcing the passage of sundry bills which originated in that House.

REPORTS OF COMMITTEES.

Mr. DEHAVEN—Finance—asked to be discharged from the petition of the Odd Fellows Hall Association of Covington, asking a release from taxes on their Hall property.

Mr. FISK opposed the discharge at length. He explained the grounds of the application for the relief from taxes.

Mr. RHEA advocated the discharge; he explained at length the views of the committee. He thought the principle wrong; it was an indirect appropriation out of the Treasury. He thought this not as meritorious a case as the case of a widow lady of Todd county, against whose petition the committee were constrained by a sense of duty to report.

Mr. PENNERAKER differed from Mr. RHEA, and opposed the discharge. He spoke at length in favor of the release of taxes to Odd Fellows, and explained their petition.

Mr. FISK again opposed the discharge briefly. Mr. WHITAKER advocated the discharge of committee.

Mr. HAYES replied to Mr. WHITAKER and opposed the discharge.

The vote was then taken on the discharge of the committee, and it was decided in the affirmative by yeas, 13; nays, 8.

CONSTITUTIONAL QUESTION.

Mr. BRUNER asked a suspension of the rules to enable him to offer the following preamble and resolution:

Whereas, The Constitution provides that "a session of the General Assembly shall not continue beyond sixty days, except by a vote of two-thirds of all the members elected to each House;" and whereas, by a joint resolution of the General Assembly the present session was extended beyond sixty days by a vote of two-thirds of all the members elected to each House, and the time to which the session was extended expired the 24th of the present month, (February,) therefore,

Resolved, as the opinion of the Senate, that the time the General Assembly could constitutionally set for legislative business expired on Friday, the 24th of February, 1890.

The Senate refused to suspend the rules by a vote of yeas, 12; nays, 13.

MOTION TO RECONSIDER.

Mr. ANDREWS moved to reconsider the vote rejecting "a H. R. bill in relation to the future mode of proceedings in obtaining tavern licenses;" motion entered.

REPORTS RESUMED.

Mr. DEHAVEN—Finance—a H. R. bill for the benefit of H. B. Lewis deceased: passed. Same—a H. R. bill for the benefit of A. J. Merriam's securities of Rockcastle county, with the opinion it should not pass: placed in the orders of the day.

SPECIAL ORDER FOR 10 O'CLOCK.

A bill to extend the time for contesting the election for the office of judge of Jefferson county.

Mr. ANDREWS moved (at the request of Senator Rust who could not be here) to postpone the bill until to-morrow at 10 o'clock: negatived by yeas, 11; nays, 12.

Mr. SPEAKER (Porter) advocated the bill at length.

Mr. WHITAKER wished to examine authorities, and moved to postpone the bill until to-morrow at 10 o'clock.

The Speaker (Mr. CISELL) in the chair decided the motion out of order.

Mr. PENNERAKER opposed the bill at length, he thought the principle involved in this bill unprecedented and wrong, and he had no doubt was unconstitutional, being an *ex post facto* law.

Mr. WHITAKER moved to refer the bill to the committee on Revised Statutes to report to-morrow at 10 o'clock.

Mr. FISK opposed the motion to commit, and advocated the bill at length; he thought there was no doubt of the Constitutionality of this case.

Mr. WHITAKER addressed the Senate in favor of the motion to commit. He wished to commit because the Senate had refused to postpone to to-morrow; his motion to postpone to 9 o'clock was declared out of order. He opposed the bill if a vote was pressed now.

Mr. GIBSON moved the previous question: ordered.

The question was then taken on recommending with instructions to report to-morrow at 10 o'clock, and it was decided in the negative—yeas, 11; nays, 16.

Mr. WALTON moved the previous question: ordered by yeas, 17; nays, 11.

Mr. PENNERAKER raised the question that it required four fifths to carry the previous question.

The Speaker (Mr. CISELL) in the chair decided that only a majority was required.

Mr. PENNERAKER appealed.

The vote was taken—shall the decision of the chair stand as the decision of the Senate, and it was decided in the affirmative by yeas, 24; nays, 1.

2d SPECIAL ORDER.

A H. R. bill to provide a more efficient Police for the city of Louisville was taken up.

An amendment had been offered by the committee who reported it providing "that if the Chancellor shall fail to perform the duties imposed by the bill, the Governor shall exercise the power conferred on the Chancellor."

Mr. ANDREWS opposed the bill briefly.

Mr. ALEXANDER moved an amendment to the amendment providing that the provisions of the bill shall apply to the cities of Lexington and Covington.

Mr. ALEXANDER opposed the bill on the ground that the bill was not asked for by petition, so far as he had heard, and was largely protested against by citizens of Louisville.

Mr. FISK replied to Mr. ALEXANDER, and exhibited petitions which he said asked for this law; they never had been publicly exhibited before. He advocated the bill.

Mr. WHITAKER replied to Mr. FISK. He said those petitions had never been presented in any authentic form before the Senate or the committee before whom the bill was they knew nothing of them. He opposed the bill.

Action on the bill was out off by the hour for the

ORDERS OF THE DAY.

A H. R. bill to charter the Henderson's Savings Institution was taken up.

Mr. GROVER offered an amendment, making the stockholders individually liable for all the debts of the Institution as partners are now liable by law; also fixing a tax of 50 cents on the \$100 of stock: adopted.

The bill was then rejected by a tie vote of 11 to 11.

A H. R. bill to charter the City Bank of Henderson—referred to the Finance committee.

A H. R. bill for the benefit of A. J. Merriam's securities of Rockcastle county—referred.

MOTION TO RECONSIDER.

Mr. GIBSON moved to reconsider the vote rejecting the "bill to charter the Henderson Savings Institution"—reconsidered.

H. R. BILLS PASSED AND REJECTED, &c.

A bill to authorize persons confined in jail for fines to replevy the same before circuit court clerks—passed.

A bill in relation to Caveats—passed.

A bill in relation to the duties of clerks of courts—referred to Judiciary committee.

A bill to regulate the circuit courts in the 3d judicial district—passed.

A bill to allow Ohio county court to levy an additional ad valorem tax—passed.

A bill for the benefit of Dieck & Thomas, of Edmonson county—referred to the committee on Propositions and Grievances.

A bill to amend the charter of the Lancaster and Crab Orchard turnpike—passed.

A bill to amend the charter of the Paint Lick and Wallace Mill turnpike road company—passed.

A bill to prescribe the times of the spring and summer terms of the Franklin circuit court—placed in the orders of the day.

A bill to charter Vienna Division, No. 286, S. of T., in Clarke county—passed.

A bill to amend the charter of the Lexington and Frankfort turnpike extension company—passed.

A bill in relation to the town of Greensburg—passed.

A bill authorizing the Taylor county court to fix the times of justice's courts in said county—passed.

A bill to amend the charter of the town of Monticello in Wayne county.

Before action the Senate took a recess until 3 o'clock.

EVENING SESSION.

The H. R. bill to amend the charter of the town of Monticello, (being the business before the Senate when the recess was taken,) was again taken up.

Mr. ANDREWS resumed his remarks on the bill, and moved to refer the bill to the committee on County Courts—carried.

A H. R. bill to charter the Kiddville turnpike road company—passed.

A H. R. bill to repeal the act to prevent the destruction of fish in Little River—passed.

A H. R. bill to amend the charter of the Millersburg and Cane Ridge turnpike company—passed.

A H. R. bill for the benefit of the town of Burlington, in Boone county—passed.

A H. R. bill in relation to the road from Union to Rabbit Hash, in Boone county—passed.

A H. R. bill to charter the Big Spring and West Point turnpike company—passed.

A H. R. bill to change the line of district No. 1, in Harrison county—passed.

A H. R. bill to charter J. F. Keel Lodge of F. and A. Masons—passed.

A H. R. bill for the benefit of Fayette county—passed.

A H. R. bill to authorize judges of county courts of the counties of Henderson, Hopkins and Union to change precincts—passed.

A H. R. bill to amend the act for the benefit of John M. Johnson and S. L. Singletary—passed.

A H. R. bill to authorize the Hickman county court to establish another district in said county—passed.

A H. R. bill to charter the Deposit Bank of Madisonville—referred to the Finance committee.

A H. R. bill for the benefit of John Walden, of Estill county, (\$135 for sheriff and one guard to take a lunatic to the Asylum by order of court)—passed by yeas, 24; nays, 1.

A H. R. bill to authorize the appointment of a deputy clerk at Columbus, and to define his duties—passed.

A H. R. bill to legalize the election of mayor and council of Hickman, and change the time of election—passed.

A H. R. bill for the benefit of Alfred Sturgeon, of Hardin county—passed.

A H. R. bill for the benefit of I. F. Andrews, of Graves county—passed.

A H. R. bill for the benefit of the Clarksville Branch of the Bank of Tennessee—referred to the committee on the Sinking Fund.

A H. R. bill to charter the Brandenburg Savings Bank—referred to the committee on Finance.

REPORTS OF COMMITTEES.

Mr. DEHAVEN—Finance—reported some days since a H. R. resolution to place head and foot stones at the graves of Colonels McKee and Clay, Capt. W. T. Willis, and Adjutant E. M. Vaughan. It was taken up and adopted unanimously.

Mr. DEHAVEN—a bill for the benefit of David Fitzgerald, of Henry county, (appropriates \$200 for head, &c., of guards at jail).

Mr. PENNERAKER moved to amend by inserting \$50, the amount allowed by the Circuit Court Judge as being just—adopted.

The bill was then rejected by yeas, 17; nays, 7; requiring 20 to pass it.

Mr. WAIT moved a reconsideration of the vote rejecting the bill—carried.

Mr. GROVER opposed the bill at length.

Messrs. DeHaven, Andrews, Penneraker, and Hayes, earnestly advocated the bill as an act of simple justice.

Mr. McKee moved the previous question—ordered.

The bill was then passed by yeas, 23; nays, 5.

Mr. ALEXANDER—Finance—a H. R. resolution to remove the remains of Ellison Williams to the Frankfort Cemetery, (\$90 appropriated,) with the opinion it should not pass: the resolution was adopted by yeas, 15; nays, 9.

A MESSAGE FROM THE GOVERNOR.

Was received, announcing the approval of sundry Senate bills by the Governor.

Mr. GIBSON reported a number of bills correctly enrolled, and they were signed by the Speaker.

REPORTS RESUMED.

Mr. ALEXANDER—Finance—a bill for the benefit of William Cromwell, sheriff of Hickman county: passed.

Same—a bill for the benefit of James G. Edens, of Craven county: passed.

Same—a bill for the benefit of W. A. L. B. Sharp, sheriff of Estill county: passed.

Mr. FISK—Education—a bill to amend the Common School Laws of this Commonwealth. Mr. GROVER offered an amendment: the bill and amendment were ordered to be printed, and made the special order for to-morrow at 10 o'clock.

REPORT OF A SELECT COMMITTEE.

Mr. PENNERAKER—a bill to amend the charter of the Franklin Savings Institution. [Changes the shires \$100]—passed.

A REPORT OF JUDICIAL COMMITTEE.

Mr. CISELL—a bill to amend the law in relation to inheritance among aliens. Before action on it, the Senate adjourned.

IN HOUSE OF REPRESENTATIVES.

MONDAY, February 27, 1890.

Prayer by the Rev. JOSEPH RANO, of the Methodist Church.

The reading of the Journal of Saturday was dispensed with.

SENATE BILL.

An act to repeal so much of the 5th section of

the act creating the 11th judicial district as relates to McLean county: passed.

BILLS REPORTED.

Mr. GEORGE—a bill to amend the charter of the Kentucky Savings Bank at Louisville: [Changes name to Merchants Bank of Kentucky:] passed.

Same—a bill to amend the charter of the German Insurance company of Louisville: passed.

Same—a bill concerning Jefferson county and the levy court: passed.

Mr. CARLISLE—a bill to incorporate the Kentucky Independent Kentucky Riders: passed.

Same—a bill to incorporate the Kentucky Silver Mining company: passed.

Same—a bill for the benefit of S. M. Moore, judge of the 9th judicial district. [Allowed \$10 per day and expenses for holding courts in other districts than his own, at the request of the Governor.]

Mr. GATHER offered an amendment, making the provisions of the bill apply to all the circuit judges in the State: adopted.

The bill as amended was then rejected—yeas, 30; nays, 43.

Mr. CARLISLE—a bill to provide compensation to county judges for holding inquests in certain cases: referred to the committee on the Judiciary.

Mr. WOOD—a bill for the benefit of Wm. Sear: passed.

Mr. M. J. COOK—a bill providing for the county of Jackson to vote for Senator and Representative: referred to the committee on Privileges and Elections.

Mr. LACEY—a bill authorizing the trustees of Crab Orchard to sell a church and lot in said town: passed.

Mr. V. L. NEALE—a bill to relieve the State from the predatory visits of wandering gipsies: passed.

Mr. BURTON—a bill for the benefit of the Lebanon and Hustonville turnpike road company: passed.

Mr. LUTTRELL—a bill for the benefit of Sanford M. Collins, of Mason county: referred to the committee on Claims.

Mr. FARMER—a bill regulating fees for arresting runaway slaves: amended and passed.

Mr. RICHARDSON—a bill to amend the charter of the town of Brandenburg: passed.

Mr. ABEL—a bill regulating the holding the equity, criminal, and penal courts in the 5th judicial district: referred to the committee on Circuit Courts.

Same—a bill to change the place of voting in the 3d district in Mercer county: passed.

HOUSE BILL AMENDED IN THE SENATE.

An act to incorporate the Lexington and Danville railroad company: amendments concurred in.

RESOLUTIONS.

Mr. GEORGE offered the following resolution, which was adopted, viz:

Resolved, That the committee on Privileges and Elections be and they are, to report Senate bill 273, at 3 o'clock this evening.

Mr. GEORGE offered the following resolution, which was adopted, viz:

Resolved, That this House meet at 9 A. M.; take a recess at 1 P. M.; meet at half-past 2 P. M.; take a recess at 5 P. M.; and meet at 7 P. M.

Mr. CARLISLE offered the following resolution, viz:

Resolved, That the committee on Banks be instructed to report on Wednesday next, at half-past 10 o'clock, A. M., a bill to provide for the appointment, by the Governor, of a supervisor or supervisors of banks, with suitable salary or per diem allowance, whose duty it shall be to report, quarterly, to the Governor, the amount of the circulation of the banks in the State, the amount of deposits, stock, notes, discounts, bills, purchased, specie on hand, what amount of money has been used in discounting notes or purchasing bills of exchange for persons residing in and doing business out of the State, together with their assets and liabilities of every kind, and the names and residences of the stockholders, with the amount of subscribed and un-subscribed stock in each bank.

Mr. GEORGE moved to refer the resolution to the committee on Federal Relations—referred.

Mr. CLEARY moved to amend the resolution by striking out the words "he instructed," and insert "be requested to inquire into the expediency of," adopted.

Mr. F. NEIL moved to lay the resolution on the table: rejected—yeas, 33; nays, 44.

The resolution was then adopted.

Mr. EWING offered the following resolution, viz:

Whereas, The constitution provides that "a session of the General Assembly shall not continue beyond sixty days, except by a vote of two-thirds of all the members elected to each House;" and whereas, by a joint resolution of the General Assembly, the present session was extended beyond sixty days by a vote of two-thirds of all the members elected to each House, and the time to which the session was extended expired the 24th of the present month, (February,) therefore,

Resolved, As the opinion of the members of the House of Representatives, that the time the General Assembly could constitutionally set for legislative business, expired on Friday, the 24th of February, 1890.

The question being taken, the resolution was rejected—yeas, 27; nays, 50.

Mr. ABEL offered the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three members of the House, and two of the Senate, be appointed to inquire into the expediency of having the remains of the Governor's house and that such committee be instructed to report during the session of this Legislature a plan, and the probable cost of such improvement.

The resolution was rejected.

HOUSE BILL AMENDED IN THE SENATE.

An act to amend the charter of the town of Somerset: amendment concurred in.

BILLS REPORTED.

Mr. BUCKNER—a bill for the benefit of Fayette county—passed.

Mr. GAYLE—a bill concerning banks. [After the passage of this act, no bank shall issue notes of a less denomination than \$5:] referred to the committee on the Judiciary, with instructions to report the same on Wednesday, at half-past 9 o'clock.

Mr. FISK—a bill to amend the act creating the office of police judge and town marshal in the town of Frankfort—amended so as to make its provisions apply to the town of Foster, in Bracken county, and passed.

Mr. TRACY—a bill to repeal a part of section 32, article 2, chapter 37, of the Revised Statutes. [Repeals that part which prevents commissioners from being appointed administrators:] passed.

Mr. McELROY—a Senate bill for the benefit of George Parker, late sheriff of Union county—passed.

Same—a Senate bill to authorize R. Y. Coghill to establish a coffee-house in Morganfield—passed.

Mr. TVE—a bill for the benefit of the Williamsburg, Cumberland River, and Tennessee railroad company: (appropriates \$10,000 per mile to said road, to be paid out of the State Treasury.)

The question being taken on the passage of the bill, it was decided in the negative—yeas, 4; nays, 62.

Same—a bill in relation to the fees of sheriffs: rejected.

DEPOSIT BANK OF MADISONVILLE.

The House then took up the motion to reconsider the vote rejecting the bill to incorporate the Deposit Bank of Madisonville: adopted.

The bill was then amended, and passed.

KENTUCKY MILITIA.

The House then took up the bill for the better organization of the Kentucky Militia: postponed until to-morrow at 10 o'clock.

ARTESIAN WELL WATER.

A SUPPLY always on hand at Feb. 8, 1890. SAMUEL'S BARBER SHOP.

DIVIDING LINE BETWEEN 1795-1811 AND 1811-1820.

The House then took up the bill relative to the boundary line between the States of Kentucky and Tennessee: referred to the committee on Claims, with instructions to report at 11 o'clock to-morrow.

AUDITOR'S OFFICE.

The House then took up the bill to provide for the completion of the unfinished business, and additional clerks in the Auditor's office: [Directs the auditor to employ Thos. S. Page to bring up the business of the office to the 1st of January, 1890, and appropriates \$500 to pay for the same; and appropriates \$1,500 annually for the employment of additional clerks.]

Mr. LUTTRELL moved to amend the bill by striking out that part of the bill which authorizes the employment of Mr. Page to bring up the business of the office to 1st January, 1890.

And then the House took a recess until half past 2 o'clock.

EVENING SESSION.

The House resumed the consideration of the bill in relation to bringing up the business of the Auditor's office, and in relation to the clerks in the office.

Mr. WM. JOHNSON moved a call of the House: adopted.

Mr. LACEY moved to suspend the call of the House temporarily, in order that the House may proceed with other business: adopted.

FRANKLIN SAVINGS INSTITUTION.

Mr. WOLFE moved to take up the motion to reconsider the vote rejecting the bill to amend the charter of the Franklin Savings Institution: adopted. [Name changed to the Franklin Bank of Kentucky; price of stock increased from \$25 to \$100; may increase capital stock \$300,000 whenever a majority of the stock holders shall so determine:] rejected—yeas, 31; nays, 39.

CALL OF THE HOUSE.

